



1646
#

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ROSENTHAL, et al.

Serial No.: 09/893,339

Filed: June 26, 2001

Confirmation No.: 1140

Atty. File No.: 42830-00236

For: "COMPOSITION FOR DELIVERY OF
HEMATOPOIETIC GROWTH FACTOR"

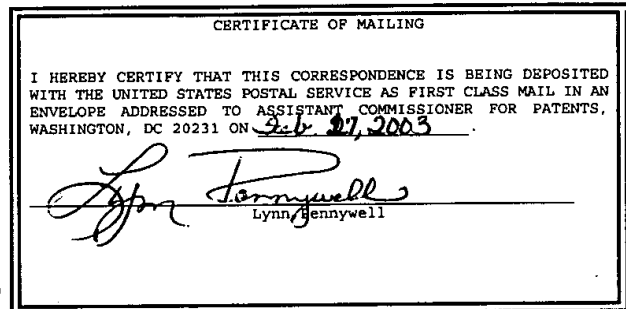
) Group Art Unit: 1646
)
) Examiner: Eyler, Yvonne L.
)
) RESPONSE TO RESTRICTION
) REQUIREMENT

RECEIVED

FEB 28 2003

TECH CENTER 1600/2900

#10
J.G.J
3/12/03



Assistant Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

This communication is responsive to an Office Action having a date mailed of December 18, 2002. The only issue raised in the Office Action is a restriction/election requirement in relation to first biocompatible polymers recited in the claims.

For the first biocompatible polymer, the specie polyoxypropylene is elected, for example such as may be present in one or more blocks of polyoxypropylene of a claimed polyoxyalkalene block copolymer. Claims readable on the elected specie include Claims 1-10, 12, 13, and 15-52.

Enclosed herewith is a petition for extension of time to extend the response period by one month, until February 18, 2003, along with a check in the amount of \$55.00 for a one-month extension fee under 35 U.S.C. § 1.17, based on small entity status. It is believed that only a one-month extension of time is required for response to the Office Action, however if an additional extension is required, please consider this communication as including a petition for additional extensions as required. No other fees are believed to be due at this communication, however if any additional fees are due, please debit such fees to Deposit Account No. 50-1419. Please credit any overpayments to Deposit Account No. 50-1419.

It is believe that all of the issues raised in the December 18, 2002 Office Action have been addressed herein. Should the Examiner have any questions concerning this communication, the Examiner is requested to contact the undersigned at 720-747-8868.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Ross E. Breyfogle, Esq.

Registration No. 36,759

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(303) 338-0997

Date: February 17, 2002